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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,220	04/13/2005	Anton Werner Keller	PU020449	6989
24498	7590	12/23/2008		
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EXAMINER				
DU, THUAN N				
ART UNIT		PAPER NUMBER		
2116				
MAIL DATE		DELIVERY MODE		
12/23/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/531,220

**Applicant(s)**

KELLER, ANTON WERNER

**Examiner**

Thuan N. Du

**Art Unit**

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 October 2008.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-8 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. It is hereby acknowledged that the following papers have been received and placed of record in the file: Appeal Brief (dated 10/06/08).
2. Claims 9-17 have been canceled. Claims 1-8 are presented for examination.
3. In view of the appeal brief filed on October 06, 2008, PROSECUTION IS HEREBY REOPENED. A new ground of rejection set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/Thomas Lee/

Supervisory Patent Examiner, Art Unit 2115

***Claim Rejections - 35 USC § 103***

4. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seidenberg, U.S. Patent No. 6,427,183 (U.S. Patent No. 6,427,183 was submitted by applicant) in view of Walance, U.S. Patent No. 5,617,466.
5. As per claim 1, Seidenberg teaches a switch (the circuit as shown in the Figure) for applying operating power from a peripheral device power source to a peripheral device (DEV) [col. 2, lines 5-8], the peripheral device being configured for communication with at least one other electronic device by a data bus, the switch including a circuit for sensing communication on said data bus and providing an indication of sensed communication to said peripheral device power source to apply power to said peripheral device in response to said sensed communication [col. 2, lines 5-31]. Seidenberg does not explicitly detail the structure of the switch circuit. Walance discloses that a data sensing/switching circuit (40) comprising a transformer (301) having a first winding (310) coupled to a bus (13, 14) and a second winding (320) coupled to a first switching transistor (331) [Figs. 1, 3; col. 4, line 60 to col. 5, line 23; col. 6, lines 34-62]. In other words, Walance teaches a system that uses an isolate transformer coupled directly to the bus to sense/detect the existence of data on the bus to turn on the transistor without power dissipation when no activity on the bus. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Seidenberg to include (in placed of the OP) the data detector 40 as taught by Walance because it would reduce the power consumption of the system by provide an isolation between the bus and the control circuit by the isolation transformer

301 taught by Walance. The modification would result in that the output of the data detector is used to turn on the power switch for the peripheral device when data activity on the bus is detected.

6. As per claim 2, Seidenberg teaches that the first switching transistor is brought from a non-conducting state to a conducting state in the presence of activity on the bus [col. 5, lines 50-58].

7. As per claims 3 and 4, Seidenberg teaches that the switch circuit further comprising a second switching transistor having an input coupled to a capacitor, wherein the second switching transistor is brought from a non- conducting state to a conducting state in response to a charge on said capacitor exceeding a threshold level when said first switching transistor is in said conducting state [col. 5, lines 19-34].

8. As per claims 5 and 7, Seidenberg teaches that the power supply is connected to the device independent of data bus [col. 2, lines 11-12]

9. As per claims 6 and 8, Seidenberg teaches a control input coupled to said power supply for receiving a control signal to cause said power supply to become inactive when there is no activity on the bus [col. 4, lines 36-38; col. 6, lines 20-33].

### ***Conclusion***

10. Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the Applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. In

preparing responses, it is respectfully requested that the Applicant fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner. Also, any prior art made of record and not relied upon is also considered pertinent to Applicant's disclosure.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan Du whose telephone number is (571) 272-3673. The examiner can normally be reached on Monday-Friday: 7:30 am - 4:00 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached at (571) 272-3667.

Central TC telephone number is (571) 272-2100.

The fax number for the organization is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

December 18, 2008

/Thuan N. Du/  
Primary Examiner, Art Unit 2116